

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Robert Lee Gessell,

Civil No. 05-588 (JRT/RLE)

Plaintiff,

vs.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Jo Anne B. Barnhart, Commissioner
of Social Security,

Defendant.

Leon A. Trawick, **TRAWICK & SMITH, PA**, 401 Second Avenue South,
Suite 550, Minneapolis, MN 55401, for plaintiff.

Lonnie F. Bryan, **OFFICE OF THE UNITED STATES ATTORNEY**,
600 U.S. Courthouse, 300 South Fourth St., Minneapolis, MN 55415, for
defendant.

Based upon the Report and Recommendation of United States Chief Magistrate
Judge Raymond L. Erickson, and after an independent review of the files and records in
this case, and on the fact that no objections have been filed to the Report and
Recommendation, **IT IS HEREBY ORDERED** that:

1. That the Plaintiff's Motion [Docket No. 24] for Summary Judgment is
denied.
2. That the Defendant's Motion [Docket No. 27] for Summary Judgment is
granted.

DATED: August 21, 2006
At Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge